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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Edwin S. TWIGG

Attn: Licensing and Review
Office of Petitions

Application No.: 09/084,263

Filed: June 3, 1998

Docket No.: 100-745

RECEIVED

For: A FIBRE REINFORCED METAL ROTOR

DEC 07 1998

LICENSING & REVIEW

SECOND RESPONSE TO NOTIFICATION OF INCOMPLETE APPLICATION AND
PETITION FOR ORIGINAL FILING DATE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant received the attached Notification of Incomplete Application, dated October 6, 1998, indicating (1) that the specification of the above-identified application is missing and (2) that the specification does not include at least one claim, and that no filing date has been granted. With the Notification, Applicants also received the enclosed Notice to File Missing Parts of Application - No Filing Date, indicating that the Oath or Declaration does not cover the items required on the Notice of Incomplete Application. The Notification further indicates that the prior Notice mailed on June 25, 1998, was sent in error and has been withdrawn.

In response to the above-noted papers, Applicant again respectfully submits that the entire application, including specification, claims, Abstract and four sheets of drawings (Figs. 1-6), was filed along with an executed Declaration/Power of Attorney, Assignment Transmittal with executed Assignment, Preliminary Amendment, Information Disclosure Statement with eleven references and a foreign search report, Claim for Priority with two priority documents, and Conditional Permit on June 3, 1998, along with all of the required filing and assignment recordation fees. Because this application is subject to a secrecy order, the

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entire packet was hand-carried to the Licensing and Review Branch on June 3, 1998, as evidenced by the attached date-stamped postcard indicating receipt of these papers by the Patent Office. Furthermore, in response to the prior Notice mailed on June 25, 1998, which has now been withdrawn, Applicant filed copies of the specification and Declaration/Power of Attorney, again being hand-carried to the Licensing and Review Branch, on July 2, 1998. A copy of this second stamped postcard receipt is also enclosed. However, to date the Patent Office has not formally acknowledged receipt of the original application papers on June 3, or of the copy of the application papers on July 2, and continues to assert that the application papers have not been received. Applicant respectfully asserts that all of the application papers were received by the U.S. Patent and Trademark Office on June 3, 1998, and that the instant Notification of Incomplete Application and Notice to File Missing Parts were again issued in error.

Attached hereto is a further duplicate copy of the specification and Declaration/Power of Attorney of the above-identified application.

Because all of the required application papers were originally filed in the Patent Office on June 3, 1998, Applicant respectfully requests that the application be accorded the original June 3, 1998, filing date. Applicant respectfully submits that because the application was complete as filed, no fee should be due, and that the petition fee should either not be assessed, or should be promptly refunded to Applicant.

Entry of the specification should complete all of the filing formalities and fully satisfy all requirements of the Notice of Incomplete Application. Accordingly, examination and allowance of this application in due course are respectfully solicited.

~~SECRET~~Unclassified When
DetachedUnclassified When
Detached

SECRET

Application No. 09/084,263

The Commissioner is hereby authorized to charge any fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461. Two duplicate copies of this paper are attached.

Unclassified When
Detached

RECEIVED

DEC 07 1998

LICENSING & REVIEW

Respectfully submitted,

James A. Oliff
James A. Oliff
Registration No. 27,075

Joel S. Armstrong
Registration No. 36,430

Unclassified When
Detached

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE
AUTHORIZATION

Please grant any extension
necessary for entry;

Charge any fee due to our
Deposit Account No. 15-0461

Attachments:

Notice of Incomplete Application
Notice to File Missing Parts
June 3, 1998, Stamped Postcard
July 2, 1998, Stamped Postcard
Specification
Declaration/Power of Attorney

SECRET



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/084,263 06/03/98 TWJGG E 100745

0222/1006

CLIFF & BERRIDGE
PO BOX 19928
ALEXANDRIA VA 22320

NOT ASSIGNED

2751

DATE MAILED:

10/06/98

NOTICE TO FILE MISSING PARTS OF APPLICATION

No Filing Date

(Enclosure to Form PTO-1123)

The required items noted below SHOULD be filed along with any items required on the "Notice of Incomplete Application." The filing date of this application will be the date of receipt of the items required on the "Notice of Incomplete Application." The items noted below must be filed no later than TWO MONTHS FROM THE FILING DATE ACCORDED THIS APPLICATION. If any of Items 1 and 3 through 5 below are submitted after the filing date accorded this application, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form and on the "Notice of Incomplete Application" are filed together, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ 0.

☐ 1. The statutory basic filing fee is:

- ☐ missing or unexecuted.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☐ is missing or unexecuted.
☒ does not cover the items required on "Notice of Incomplete Application."
☐ does not identify the application to which it applies.
☐ does not include the post office address and the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and filing date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than the inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, referring to the above Application Number and filing date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and filing date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. The application does not comply with the Sequence Rules.

See attached "Notice To Comply with Sequence Rules 37 CFR 1.821 -1.825."

☐ 8. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

T. W. Wacker
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2-COPY TO BE RETURNED WITH RESPONSE



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/084,263	06/03/98 TWIGG		E 100745

0222/1006

CLIFF & BERRIDGE
PO BOX 19928
ALEXANDRIA VA 22320

NOT ASSIGNED

2751

DATE MAILED:

10/06/98

NOTICE OF INCOMPLETE APPLICATION

A filing date has NOT been assigned to the above identified application papers for the reason(s) indicated below.

All of the items noted below, unless otherwise indicated, must be submitted within **TWO MONTHS** of the date of this Notice, or the application may be returned or otherwise disposed of. Any fee which has been submitted will be refunded less a \$130.00 handling fee. (37 CFR 1.53(c)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the items required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of the Assistant Commissioner for Patents accompanied by the \$130.00 petition fee. (37 CFR 1.17(i)). If the petition states that the application is complete, a request for refund of the petition fee may be included in the petition.

☒ 1. The specification (description and claims):

☒ a. is missing.

☐ b. does not include a written description of the invention.

☒ c. does not include at least one claim as prescribed by 35 U.S.C. 112.

A complete specification (including at least one claim in a nonprovisional application) as prescribed by 35 U.S.C. 112 is required.

☐ 2. The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented."

Applicant should reconsider whether drawings are necessary under 35 U. S. C. 113 (first sentence).

☐ 3. The inventor's name(s) is missing.

The full names of all inventors are required in compliance with 37 CFR 1.41.

☐ 4. OTHER:

Additional observations on the above-identified application papers:

☐ 1. Pages _____ of the specification are missing.

☐ 2. Figures _____ described in the specification are missing.

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

Enclosed:

☒ "General Information Concerning Patents." See page _____

☒ "Notice to File Missing Parts of Application," Form PTO-1532.

☐ "Checklist for Patent Applications."

☐ Other:

A copy of this notice MUST be returned with the response.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

INSTRUCTIONS TO DOCKET CLERK

The following papers
have been filed:

HAND CARRY - LICENSING & REVIEW BRANCH

NEW U.S. SEC. APPLN. (16 pgs. - SPEC/CLMS(22)/ABS.;
EXE. DEC/POA; FIGS. 1-6 (4 SHEETS); Ck#59884, \$834;
ASSGT. TRAN. W/EXE. ASSGMT. &CK#59885, \$40; PRAMD; IDS
W/EP SEARCH REPORT, 11 REFS; CFP W/2 PD; CON. PERMIT

Description
of Paper:

Name of
Applicant:

Edwin Stephen TWIGG

Serial No.:

NEW U.S. SECURITY APPL.

Atty. File No.:

100745

Title (New Cases): A FIBRE REINFORCED METAL ROTOR

65705 U.S. PTO

Sender's Initials: JAO/JSA:amw

RECEIVED

JUN 03 1998

LICENSING & REVIEW

09/004263

06/03/98

INSTRUCTIONS TO DOCKET CLERK

The following papers
have been filed:

HAND CARRY - LICENSING & REVIEW BRANCH

RESPONSE TO NOTIFICATION OF INCOMPLETE APPLICATION AND
PETITION FOR ORIGINAL FILING DATE; NOTICE OF INCOMPLETE
APPLICATION (COPY); DUPLICATE ORIGINAL SPECIFICATION &
DECLARATION & POSTCARD

**Description
of Paper:**

**Name of
Applicant:** Edwin S. TWIGG

Serial No.: 09/084,263

Atty. File No.: 100745

Title (New Cases):

Sender's Initials: JAO/JSA:amw

RECEIVED

JUL 02 1998

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